SUMMARY OF FACTS

The Findings

On March 14, 1989, Subjects Edward DOYLE and Stephen LEAVINS were assigned to Lennox Station Patrol. The unit they were assigned that night was unit 34 which patrols primarily the station area of Gardena Park. Subject DOYLE was the bookman and Subject LEAVINS was the driver.

> IIB NOTE: It is accepted station policy that the bookman acts as the car commander or decision maker when two deputies work as a team, other than in a training officer-trainee relationship. In this case, Subject DOYLE was the car commander and senior deputy in terms of time at Lennox Station, as well as on the Department, in relation to Subject LEAVINS.

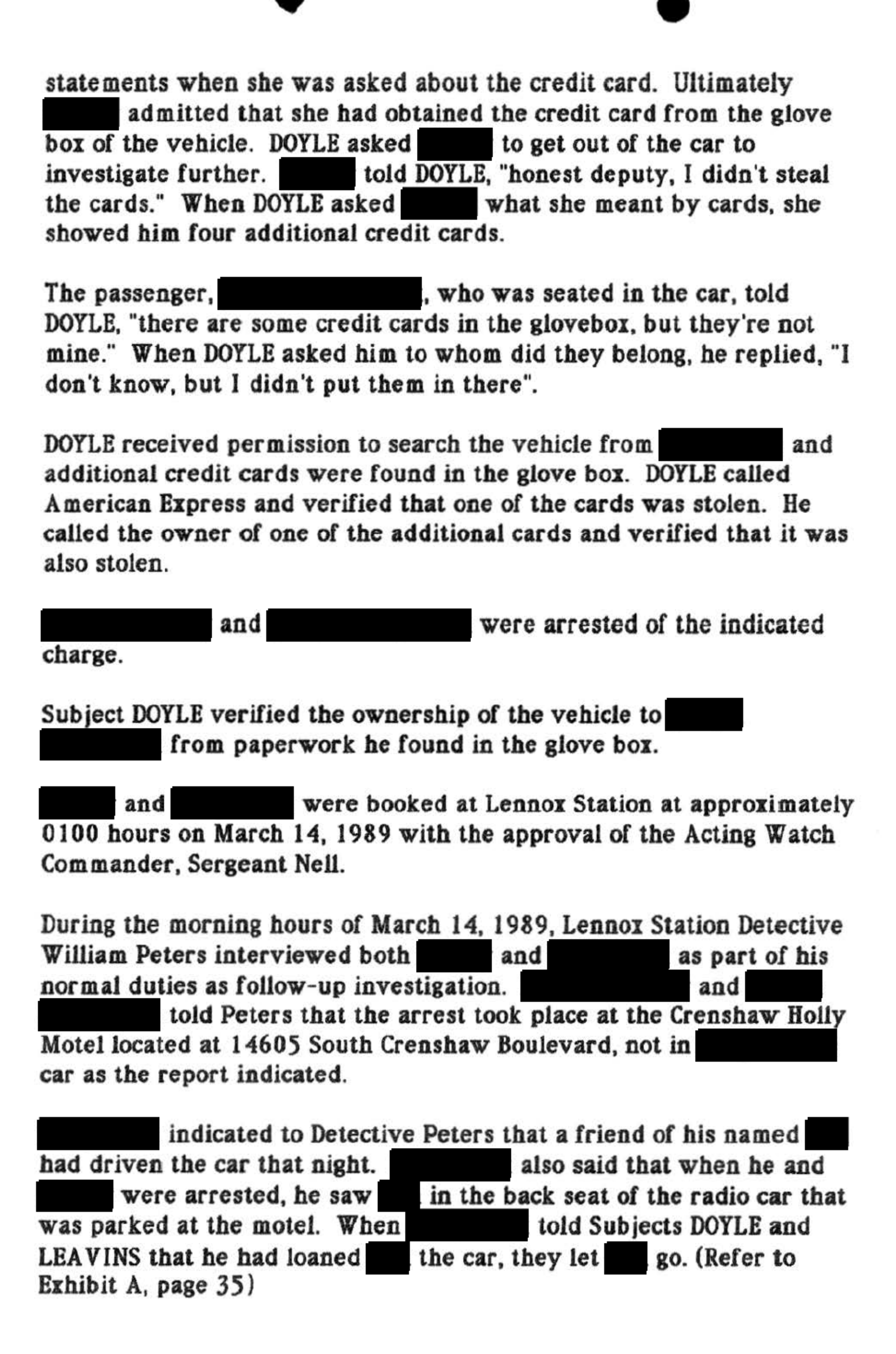
At approximately 0045 hours, Subjects DOYLE and LEAVINS arrested [redacted] and [redacted] for a violation of section 496.1 of the California Penal Code, Receiving known Stolen Property.

The circumstances regarding their arrest were related in an arrest report on March 14, 1989 which was written by Subject DOYLE. The name of Subject LEAVINS also appeared on the report. (Refer to Exhibit A, page 59)

The report states that the Subjects stopped a brown chevrolet, license [redacted] as it was driving southbound on Crenshaw Boulevard at 147th Street. They stopped the vehicle for no headlights on, which is a violation of California Vehicle Code section 22450. The traffic stop occurred just south of 147th Street on Crenshaw Boulevard.

Subject DOYLE approached the vehicle on the driver's side, and Subject LEAVIN'S on the passenger side. DOYLE saw two occupants, the driver a female black [redacted] and the passenger a male white [redacted]. DOYLE asked the female for her driver's license, which she gave him. As he was examining the female's license DOYLE saw an American Express card in her red wallet bearing a different name than that of the driver's license.

According to the report written by DOYLE, [redacted] gave conflicting



statements when she was asked about the credit card. Ultimately admitted that she had obtained the credit card from the glove box of the vehicle. DOYLE asked to get out of the car to investigate further. told DOYLE, "honest deputy, I didn't steal the cards." When DOYLE asked what she meant by cards, she showed him four additional credit cards.

The passenger, , who was seated in the car, told DOYLE, "there are some credit cards in the glovebox, but they're not mine." When DOYLE asked him to whom did they belong, he replied, "I don't know, but I didn't put them in there".

DOYLE received permission to search the vehicle from and additional credit cards were found in the glove box. DOYLE called American Express and verified that one of the cards was stolen. He called the owner of one of the additional cards and verified that it was also stolen.

and were arrested of the indicated charge.

Subject DOYLE verified the ownership of the vehicle to from paperwork he found in the glove box.

and were booked at Lennox Station at approximately 0100 hours on March 14, 1989 with the approval of the Acting Watch Commander, Sergeant Nell.

During the morning hours of March 14, 1989, Lennox Station Detective William Peters interviewed both and as part of his normal duties as follow-up investigation. and told Peters that the arrest took place at the Crenshaw Holly Motel located at 14605 South Crenshaw Boulevard, not in car as the report indicated.

indicated to Detective Peters that a friend of his named had driven the car that night. also said that when he and were arrested, he saw in the back seat of the radio car that was parked at the motel. When told Subjects DOYLE and LEAVINS that he had loaned the car, they let go. (Refer to Exhibit A, page 35)

Due to the conflict between the complaint report written by Subject DOYLE and the statements of both suspects to Detective Peters, the Early Morning Watch Commander, Lieutenant Schultz also interviewed [redacted] and [redacted] on the night of March 14, 1989.

During their interviews both [redacted] and [redacted] also told Lt. Schultz that after their arrest at the motel, they were driven to the parking lot of the Stop 'N Go market at 147th Street and Crenshaw Boulevard, where [redacted] car was parked. They said that one of the Subjects went into the store and after he returned, they were taken to jail. They gave Lt. Schultz the names of other persons who were in the motel room where [redacted] and [redacted] said they were arrested. The names of those persons were [redacted], [redacted], and [redacted]. [redacted] and [redacted] also told Lt. Schultz where the driver of the car, [redacted], could be found. (Refer to Exhibit A, page 20)

Lt. Schultz assigned Sergeant Michael Janovich to interview the possible witnesses as provided by [redacted] and [redacted]

Sergeant Janovich interviewed [redacted] at the Lyn Mar Motel on March 15, 1989 during the early morning hours. [redacted] told Janovich that the night before, he was pulled over in the parking lot of the Stop 'N Go market by the two Subjects. [redacted] said he was handcuffed and driven over to the Crenshaw Holly Motel where [redacted] was staying.

Sergeant Janovich also interviewed [redacted], [redacted], and [redacted] at the Crenshaw Holly Motel in room #[redacted] All three individuals indicated that both Subjects came into the room the night before and arrested [redacted] and [redacted] (Refer to Exhibit A, page 56)

Based on the information that had been compiled, Lt. Schultz conducted a supervisor's inquiry, and interviewed both Subjects. Lt. Schultz told Subject LEAVINS that he was making a supervisor's inquiry into the arrest that he and Subject DOYLE had made of [redacted] and [redacted] the night before. Schultz told LEAVINS of the allegations made by [redacted] and [redacted] and the difference in the suspect's story and the police report.

LEAVINS told Lt. Schultz that the complaint report was true and correct. (Refer to Exhibit A, page 21)

Lt. Schultz interviewed Subject DOYLE, advised him of the supervisor's inquiry, the allegations made by [redacted] and [redacted] and the

difference between the suspect's story and the report that he(DOYLE) had written. Lt. Schultz asked DOYLE if the report was correct, and DOYLE answered that it was. (Refer to Exhibit A, page 21)

Lt. Schultz wrote memorandum to the Lennox Station Commander, Captain Lanier on March 15, 1989 regarding all of the circumstances of the arrest of [redacted] and [redacted] by Subjects DOYLE and LEAVINS. (Refer to Exhibit A, pages 52 thru 55)

Chief William Waller, at the time, Chief of Field Operations Region II, requested that the Internal Criminal Investigations Unit investigate a possible falsification of a police report perpetrated by Subjects DOYLE and LEAVINS on March 14, 1989. (Refer to Exhibit A, page 1)

Sergeants Michael Nikolenko and John Greenwood interviewed [redacted], [redacted], [redacted], [redacted], and [redacted] (AKA: [redacted]). All of them told the ICIU Investigators that they were in the motel room on March 14, 1989 when the two Subjects came into the room and arrested [redacted] and [redacted].(Refer to Exhibit A, pages 8 thru 15)

The ICIU Investigators also interviewed [redacted] who told them he was stopped in the parking lot of the Stop 'N Go market while driving. [redacted] told them he was handcuffed and driven in the radio car to the Crenshaw Holly Motel. [redacted] said he saw the Subjects bring two people down and he([redacted]) was unhandcuffed and released. (Refer to Exhibit A, page 19)

The ICIU Investigators also recovered the registration card for room #[redacted] of the Crenshaw Holly Motel for march 13, 1989 through March 14, 1989 and found that the room was rented by [redacted]. The card also had the vehicle license number of the registrant. The license number was [redacted], which was the same as the vehicle Subjects DOYLE and LEAVINS stated they stopped with the occupants [redacted] and [redacted] (Refer to Exhibit A, page 4)

The ICIU Investigators interviewed Subjects DOYLE and LEAVINS on March 20, 1989 and advised each of them of their Constitutional Rights. Both of them invoked. (Refer to Exhibit A, pages 17 & 18)

The ICIU Investigators presented the case to the Los Angeles County District attorney's Office for possible criminal filing.

On May 26, 1989, Subject LEAVINS was interviewed by Deputy District Attorney Joseph Shidler of the Los Angeles County District Attorney's Office, Special Investigations Division. Subject LEAVINS was represented by Attorney Mike Nasatir. (Refer to Exhibit C)

Mr. Shidler explained to LEAVINS that he wanted him to be honest in any questions that he answered or any statements that he made. Also that if based on Mr. Shidler's assessment of the interview that LEAVINS was completely truthful and honest, that he (Mr. Shidler) did not expect to file any charges against him.

LEAVINS related the following: on March 14, 1989 he said that he and Subject DOYLE were driving northbound on Crenshaw Boulevard. LEAVINS said that he was the driver and DOYLE was the bookman. DOYLE saw a car in the parking lot of the Stop 'N Go at 147th street and Crenshaw Boulevard. DOYLE told him, "Let's stop that car". They pulled into the parking lot, and DOYLE got out and talked to the driver (the lone occupant of the vehicle) LEAVINS said that there was no apparent legal reason to stop the vehicle.

After DOYLE talked to the driver, he discovered he didn't have a license, and that he had borrowed the car from a guy named [redacted]. The driver told them that [redacted] was staying at a certain room at the motel just north of the Stop 'N Go. LEAVINS could never recall the name of the driver, only that he was a black male. LEAVINS added that there was no registration in the car, they took the driver to the motel to verify that the car was not stolen and that he had permission to use it.

The driver pointed out the room to the Subjects. He remained in the car handcuffed. The Subjects went to the room, DOYLE knocked, but LEAVINS could not remember who answered. LEAVINS saw five or six people inside the room.

DOYLE went inside the room and sent the people who were inside out to LEAVINS, where he detained them. DOYLE was in the room alone.

LEAVINS said that he never went inside the room, but that DOYLE told him that there were cocaine pipes and stuff in there. DOYLE searched around the room and looked inside a purse and found credit cards that did not match the identification in the purse, which was [redacted]. DOYLE went outside the room and confronted [redacted] about the credit

cards, but LEAVINS said that he could not hear the conversation. DOYLE told LEAVINS that [redacted] told him that she got the credit cards from the glovebox of the car that belonged to [redacted], who was the only white male in the group of persons being detained. LEAVINS said that the persons he had detained appeared to be baseheads or pop people who smoke cocaine on a daily basis. He said there was no odor of PCP, marijuana or anything inside the room.

LEAVINS said that he and DOYLE handcuffed [redacted] and [redacted] and took them to the radio car then back to the Stop 'N Go where the car they originally stopped was parked. They released the driver when they found out that he had permission to drive the car.

DOYLE searched the car and found more credit cards. LEAVINS said that DOYLE went inside the Stop 'N Go market to use the telephone to verify that the cards were stolen.

LEAVINS said that [redacted] and [redacted] were arrested for 496.1 P.C., taken to Lennox Station, where he(LEAVINS) booked them. (Refer to Exhibit A, pages 69 thru 78)

Subject DOYLE talked to the Watch Commander to obtain the arrest approval. LEAVINS said that the writing on the Arrest Review was Subject DOYLE's. (Refer to Exhibit A, page 68)

LEAVINS said that after their business was concluded in the station, they went back into the field, and DOYLE wrote the report. LEAVINS said that he had nothing to do with the report with regards to input or actual writing. LEAVINS said that he never read the report the night of March 14, 1989.

LEAVINS said that he was interviewed by Lt. Schultz the next night of their shift, and that Lt. Schultz explained the purpose of the interview. Lt. Schultz gave LEAVINS a copy of the complaint report that was written by Subject DOYLE regarding the arrests of [redacted] and [redacted]. LEAVINS said that when he read it, he realized that there were some problems. LEAVINS admitted that he lied to Lt. Schultz when he asked him if the report was true. LEAVINS said he lied because he felt sorry for DOYLE, and he didn't want to be labeled

as a snitch within the Department. LEAVINS said that he knew DOYLE was having marital problems at home, and was drinking more than

usual. LEAVINS said that DOYLE's falsification of the report was a stupid thing to do.

LEAVINS said that after their interview with Lt. Schultz, they went back into the field and discussed the report. Both Subjects adopted the point of view, 'let's screw them, it's just our word against theirs'.

LEAVINS said he and DOYLE discussed going into their supervisors and admitting their mistakes, so they could get it over with. However they realized that their attorneys were advising them not to.

On June 15, 1989 a complaint was filed in the South Bay Municipal Court by the Los Angeles County District Attorney's Office, which charged Subject Edward DOYLE with misdemeanor, a violation of section 6204 of the Government Code, False Report by a Peace Officer.

On September 11, 1989 in Division 5 of the South Bay Municipal Court Subject DOYLE pled nolo contendere to the charge of 6204 of the Government Code. He was sentenced to the following: placed on summary probation for eighteen months; perform two hundred hours of community service by March 12, 1990; obey all laws. (Refer to Exhibit B)

Subject DOYLE was interviewed by IIB on October 24, 1989 and was represented by Attorney Richard Shinee of ALADS.

DOYLE related the following regarding the events of March 14, 1989: that when he and LEAVINS were driving southbound on Crenshaw Boulevard, DOYLE saw a person he knew as "[redacted]" driving the brown chevy as it backed out of the parking lot of the Stop 'N Go market at 147th Street. DOYLE told LEAVINS to stop the car, and after doing so, he (DOYLE) talked to "[redacted]". "[redacted]" told DOYLE that the car belonged to [redacted] who was staying at the Holly Motel. DOYLE said that he believed the car was possibly stolen because "[redacted]" had no driver's license.

> IIB NOTE: DOYLE contends that he recognized the driver as "[redacted]", however, LEAVINS said in his interview with the

District Attorney's Office that he(LEAVINS) never knew the name or nickname of the driver.

DOYLE said they put " " into their radio car and drove him to the motel to investigate a possible Grand Theft Auto. DOYLE and LEAVINS went up to the motel room. DOYLE knocked on the door, an unidentified person answered the door, and admitted DOYLE inside after DOYLE

explained he wanted to see to verify that he had loaned the car to " ".

DOYLE said that while he was inside that he saw several baggies containing a residue of a white powdery substance resembling cocaine, and glass pipes laying about. DOYLE ordered everyone outside. DOYLE said that he did talk to who verified that he loaned the car to " ".

IIB NOTE: Subject LEAVINS said in his interview with the District Attorney's Office that DOYLE verified the driver of the car's story after and were arrested and everyone was taken back to the Stop 'N Go market. in his interview with ICIU and Sgt. Janovich said that he loaned his car to , not to a person named " ". When was interviewed by ICIU, she referred to , one of the occupants of the room, as " ". goes by the nickname of " ".

DOYLE said that as he looked about, he saw a wallet laying on a desk, so he picked it up to ascertain to who it belonged. He saw several credit cards in different names. DOYLE said that he asked out loud who was . A person still sleep in the bed,(later identified as) a female awakened and said that he(DOYLE) had no right to be inside the motel room.

IIB NOTE: DOYLE'S statement conflicts with LEAVINS' statement to the District Attorney as to the sequence of events, once DOYLE was inside the motel room. LEAVINS said that DOYLE sent everyone out before he searched the room. The IIB Investigator, Sgt. Pradia went to the Crenshaw Holly Motel and looked inside room # The distance from the bed to the entry door is approximately

four feet. The width of the room is approximately ten feet, and the distance to the kitchenette, which is in direct view from the entry, is approximately twelve feet. DOYLE said that he awakened a female inside the room. This statement by DOYLE contradicts the physical evidence of the room. It would it be impossible not to have seen everyone in the room from the doorway of room #[REDACTED] DOYLE said that he entered the room, began to search, and only after he shouted aloud, did [REDACTED] awaken.

DOYLE said that he questioned [REDACTED] further and determined that the cards did not belong to her. He arrested [REDACTED] and [REDACTED] took them back to the parking lot of the Stop ' N Go, where he permitted "[REDACTED]" to leave. Doyle searched the brown chevy and found the additional credit cards inside the glovebox. DOYLE went inside of the market, and did a telephonic check to verify that the cards were stolen.

> IIB NOTE: In his interview DOYLE was asked which parts of the complaint report were factual. He was adamant that he verified ownership of the brown chevy from paperwork that he found in the glovebox, which he referred to. (Refer to Exhibit A, page 67) However LEAVINS said in his interview with the District Attorney's Office that there was no registration in the car. (Refer to Exhibit C)

DOYLE said that he obtained the arrest approval from Sergeant Nell, the Acting Watch Commander.

DOYLE admitted that he falsified the report he wrote under file #489-03994-0387-290. He said the reason that he falsified the report was due to depression he had experienced since an on duty shooting incident he was involved.

> IIB NOTE: The shooting incident occurred on February 12, 1989. The investigation was conducted by Homicide Bureau, under file #089-02260-0399-054. Homicide concluded that Deputy Joseph Halpin fired one round which struck the suspect and fatally wounded him. Subject DOYLE fired one round which struck the suspect's vehicle.

DOYLE said that he was having marital problems, guilt feelings, and began drinking heavily. DOYLE said that because of the detail involved in the arrest, the arrest would be about fifteen or twenty pages. He

was tired, so he shortened the report. He figured it wouldn't hurt anyone since it was a legal arrest. He stated that he has no regrets about the arrest, but does regret how he wrote the report.

DOYLE said that he was ordered to see the Psychological Services Unit three days after the shooting.

DOYLE failed to keep his scheduled appointment due to a conflict with a court appearance, and never made another appointment. DOYLE said that when he called to cancel the initial appointment, he was told by an unidentified psychologist, 'let's just say you went, if you're not having any other problems with being depressed don't worry about it. Contact me another day and we'll schedule it.'

DOYLE said that it did occurr to him on the night of the arrest to write the report as the incident occurred, but he was very tired and just took a short cut.

DOYLE said that Lt. Schultz did not advise him prior to his interview on the night after the arrest, that he was conducting a supervisors inquiry, but DOYLE did confirm the fact that Lt. Schultz advised him of the conflict in the report versus the statements of the suspects.

DOYLE said he does not recall if Lt. Schultz asked him if the report he had written was true and correct. DOYLE did say that he recalls a conversation during his interview by Lt. Schultz about the validity of the report. DOYLE could not recall if Lt. Schultz asked him if he lied in the report. After Sgt. Pradia, the IIB Investigator read part of Lt. Schultz' statement in the Criminal Investigation, Subject DOYLE said that it does not refresh his memory. DOYLE said that he was not candid with Lt. Schultz, but does not recall what he was or wasn't candid about. Doyle did say that he tried to tell Lt. Schultz that what he wrote in the report is what happened.

DOYLE said that he read LEAVINS' interview with the District Attorney's Office and that overall it is basically true, but he wasn't sure about little details. (He wouldn't elaborate what details) DOYLE did state that the falsification about the report was true.

DOYLE said that there were some true statements in the report he wrote, specifically pages seven thru the end of the report.

IIB NOTE: The last statement of Subject DOYLE conflicts

with Subject LEAVINS' statements in his interview in Exhibit C. Subject DOYLE contends that he asked suspect [redacted] if he could enter the glovebox and look for additional cards, however Subject LEAVINS said that [redacted] was already in custody, and when they returned to the parking lot of the Stop 'N Go, Subject DOYLE went to the brown chevy and searched it. There is no mention in the interview with Subject LEAVINS that Subject DOYLE received permission to search the car.

DOYLE said that after his interview with Lt. Schultz, he and LEAVINS did discuss the incident. DOYLE cannot recall what he told LEAVINS, and definitely does not recall telling LEAVINS, 'All right, listen, we'll just tell them that they're lying.'

Subject LEAVINS was interviewed on October 24, 1989 by IIB. Subject LEAVINS said that everything contained in his interview with the District Attorney's Office is true.

LEAVINS said that when he was interviewed by Lt. Schultz on March 14, 1989 he saw the discrepancies in the report that Subject DOYLE wrote, but concealed the truth from Lt. Schultz. LEAVINS said that he did lie to Lt. Schultz when he told him the report was true.

DOYLE'S immediate supervisors at the time of his on duty shooting were interviewed by IIB to ascertain if any of them noticed any change in the behavior of DOYLE such as depression, tardiness, absentiism, or any unusual behavior. (Refer to Exhibit F) The following persons were interviewed: Lt. Ronald Herbst, the E.M. Watch Commander the night of DOYLE'S shooting and his shift lieutenant; Sgt. Michael Janovich, E.M. Patrol sergeant; Sgt. Edward Allen, E.M. patrol sergeant, who was the Watch Sergeant the night of DOYLE'S shooting, as well as his supervisor. Each of these men saw no change in DOYLE'S behavior after the shooting incident. They based their observations on their vast years of experience, the numerous shootings they have been involved directly or indirectly, the numerous deputy personnel each of them have spoken to who have been involved in shootings and their obsevations of those people.

Sgt. Allen added that on February 28, 1989, he and Lt. Herbst counselled DOYLE and Deputy Chris Brackpool regarding going to a motel outside the Lennox Station jurisdiction, in the city of Inglewood

after detaining a male black for possession of cocaine. The male black pointed out the exact room at the motel where the dealer, a male white in his late thirties, resided. Along with Deputy Hernandez, DOYLE and Brackpool were permitted inside the room by the occupants, saw narcotics papraphernelia, searched the room, but made no arrests. Sgt. Allen and Lt. Herbst counselled DOYLE and Brackpool also for failure to notify the station desk personnel of their location, and failure to notify a field supervisor of their actions.

On November 7, 1989 Deputy Halpin was interviewed by IIB. he said that he worked with DOYLE on only one occasion - the night of their shooting. He would see DOYLE around the station, and considered his relationship with him as friendly. Halpin said that he cannot recall if he noticed any change in DOYLE'S behavior after the shooting. Halpin

added that no other deputies approached him after the shooting with regards to any concern about DOYLE'S behavior.

Halpin said that he was ordered to make an appointment with the Psychological Services Unit within one week after the shooting, which he did, and he kept the appointment.

On November 7, 1989 Deputy Chris Brackpool was interviewed by IIB. He said that he has worked on and off with DOYLE as a radio car partner. (Refer to Exhibit G) Deputy Brackpool said that he is a friend to DOYLE on duty as well as off duty. Brackpool said that he would classify DOYLE the same after the shooting as before the shooting. Brackpool said that he would not say that DOYLE was depressed, but that something about the shooting was on his mind. Brackpool was aware of DOYLE'S marital problems, but isn't sure if the problems started before the shooting or after.

Brackpool confirmed that he and DOYLE were counselled about the motel incident by Lt. Herbst and Sgt. Allen on February 28, 1989. Brackpool expounded and said that he cannot recall if any narcotics were found, but that there were numerous persons inside the room, and there was narcotic paraphernelia. Brackpool said that many of the people appeared to be under the influence of narcotics, but that wasn't their main purpose in being there.

Brackpool said that he and DOYLE did several 'knock and talks', but cannot be specific about the amount of times.

IIB NOTE: Brackpool defined a 'knock and talk' as when they have information, or reason to believe that narcotics is being sold in one of the rooms of a motel. They would go to the room, obtain permission to enter and conduct an investigation.

On November 6, 1989, Deputy James Harding was interviewed by IIB. He said that on October 31, 1989, Subject DOYLE approached him and told Harding that he (DOYLE) was having a drinking problem, and has had since his on duty shooting.

IIB NOTE: Deputy Harding is a Supervising Line Deputy assigned to the Fiscal Services Bureau and supervised Subject DOYLE at the Hall of Justice Jail while DOYLE was relieved of duty and assigned to Fiscal Services.

Harding said that in that conversation with DOYLE, he admitted that he (DOYLE) had brought onto the facility on two occasions the alcoholic beverage, 'Wild Turkey' and poured it into his coffee. DOYLE told HARDING that it had been a long time since he had brought any alcohol onto the facility. Harding advised DOYLE to get help for his drinking problem, and pointed to a copy of the Sheriff's Department publication, "The Star News". Harding pointed out the column, Peace Officer's Fellowship, which listed the alcohol counselors. The issue was October 19, 1989. DOYLE told Harding that he would read it. (Refer to Exhibit E, and D)

Harding advised IIB of the conversation with DOYLE the same date. Subject DOYLE was transferred to the Mira Loma Faclity for closer supervision, and to be closer to the community in which he is satisfying his court ordered committment of community service.

IIB NOTE: Sgt. Pradia talked to Chief Preimsberger regarding Hardings conversation with DOYLE, and DOYLE'S admission to the use of alcohol while on duty. Chief Preimsberger directed Sgt. Pradia to amend the allegations, and include the Use of Alcohol section, and interview DOYLE regarding that issue.

Due to the alleged depression that Subject DOYLE said he had suffered as a result of the on duty shooting, and the dependence on alcohol he

experienced, Sergeant Pradia requested a written release from Subject DOYLE to inquire of Psychological Services who DOYLE had spoken to, if anyone, or had any appointments been made or kept. DOYLE refused to grant the release on the advice of his attorney, Mr. Shinee.

On November 29, 1989 Subject DOYLE was interviewed by IIB regarding the issue of the amended allegation, and the results of further investigation.

DOYLE said that he agreed with the assessments of Lt. Herbst, Sgt. Allen, Sgt. Janovich, Deputy Halpin, and Deputy Brackpool with regards to there being no apparent change in his behavior on duty.

DOYLE denied that he told Deputy Harding that he brought alcohol in the Hall of Justice. DOYLE said that he told Harding that on a couple of occasions he poured 'Wild Turkey' into his coffee while at home prior to coming into work. DOYLE said that the amount was a shot glass. DOYLE said that it would normally take one hour and twenty minutes to arrive in the morning, and that he was not under the influence of alcohol when he arrived at work.

DOYLE admitted that the person he identified as "[redacted]" in his first interview with IIB was not known to him by that street name, but that he had seen him around before and talked to him before. Later DOYLE said that he didn't recall if he knew the male by the street name of "[redacted]".

DOYLE denied that the reason he falsified the report was that he was afraid that Lt. Herbst or Sgt. Allen would find out about his arrest, after being counselled two weeks prior for doing a 'knock and talk' without making any notifications. DOYLE admitted that he and Deputy Brackpool were counselled by Lt. Herbst and Sgt. Allen.

Near the conclusion of the interview, Subject DOYLE had been asked seven questions with regards to the similarities of the events that occurred on February 28, 1989 and March 14, 1989. When DOYLE was asked if the scenario of February 28 in which the persons inside the motel room who were under the influence of narcotics/and, or drugs and not arrested, was similar to the scenario of March 14 in which persons inside the motel room who were possibly under the influence of narcotics/ and or drugs and not arrested. DOYLE'S representative Mr. Shinee advised DOYLE not to answer the question. DOYLE was aksed

the question again by Sergeant Pradia, and again Mr. Shinee advised him not to answer the question. Sergeant Pradia ordered Subject Doyle to answer the question, but DOYLE said he was going to follow the advice of his attorney and refuse to answer the question.

Sergeant Pradia advised Subject DOYLE that refusal to obey a direct order can be considered insubordination. Insubordination can result in discipline from a written reprimand to and including termination. Again Sergeant Pradia asked DOYLE did he refuse to answer the question, and he said that he had no choice but to follow the advice of his attorney and refuse to answer the question. Sergeant Pradia advised DOYLE that he would have to confer with Chief Preimsberger regarding the possible allegation of insubordination.

> IIB NOTE: Sergeant Pradia conferred with Chief Preimsberger on that same date, and based on the refusal of Subject DOYLE to obey a direct order, the Chief directed Sergeant Pradia to add the allegation of insubordination.